

No. 216-AR

ANTIETAM
SCHOOL DISTRICT

ADMINISTRATIVE
REGULATION

POLICIES AND REGULATIONS FOR STUDENT RECORDS

Philosophy and Policy Statement

Student records are an inherent part of a student's formal education in the Antietam School District. They are used by authorized district personnel to collect, maintain and disseminate pertinent information. Such records shall be initiated upon the student's entry for the first time in the schools of the district and shall follow the student throughout his/her educational career in the Antietam School District. By nature, student records are confidential and privileged; therefore, administrators, counselors, specialists, teachers, and members of the secretarial staff shall be educated about and shall be expected to abide by the district's policies pertaining to the collection of data, maintenance of student records, and the dissemination of information.

Only that information about students which is considered essential in accomplishing the educational objectives of the schools of the Antietam School District and in promoting the welfare of our students shall be collected and maintained under the supervision of the professional staff. The Antietam School District shall adhere to sound practice in the compilation, maintenance, and dissemination of student records and the protection of the right to privacy of the students and parents. It shall be understood that while student cumulative records are maintained primarily for school use, certain situations will arise when the release of specific portions of such records under controlled circumstances, serves to benefit both the student and his/her family. The administrative regulations which follow are written in compliance with the Pennsylvania State Board of Education's regulations that were adopted on July 12, 1974, and the Federal Family Educational Rights and Privacy Act of 1974.

The Antietam School District shall give parents of students in attendance or eligible students in attendance annual notice by such means that are reasonable. This notice shall include their rights as prescribed by the Federal Family Educational Rights and Privacy Act of 1974 and the subsequent administrative regulations of the Antietam School

District, and their right to file complaints under the Act with the Department of Health, Education, and Welfare in Washington, D.C.

The plan is located in the district office of the Antietam School District.

The Antietam School District agrees to implement the policies and procedures for exceptional children.

Classification of Student Records

Information about students that is collected by authorized school personnel shall be classified as follows:

1. Permanent Student Records (Category "A") -

This classification includes official administrative records that constitute the minimum personal data necessary for the efficient operation of the district's educational system. It includes birth date, sex, names and addresses of parents, academic work completed, grades, class standing, standardized achievement test scores, scholastic aptitude test scores, basic health data, attendance record, and record of participation in extra-curricular activities.

2. Supplementary Student Records (Category "B") -

This classification includes verified information of clear importance to the school system but which cannot be considered absolutely necessary. It includes scores on standardized intelligence tests, personality and interest inventories, basic health data, family background and information, systematically gathered teacher or counselor ratings and observations, and verified reports of serious or recurrent behavior patterns.

3. Temporary Student Records -

This includes potentially useful information that has not been verified and which is not clearly needed beyond the immediate present. It includes clinical findings, and unevaluated reports of teachers or counselors that may be necessary to ongoing counseling or disciplinary action programs. This information should not be included in the cumulative record folder or envelope. These records should be kept separately and included in the cumulative record folder or envelope only after they have been verified. Once verified, these records can be considered under category B and treated as such.

Collection of Student Records Data

All information necessary to the maintenance of student records shall be collected only with the prior informed written consent of the child and/or his/her parents. Such consent may be given either individually or through the parents' legally elected or appointed representatives (Board of School Directors) depending on the nature of the information to be collected.

Representational consent shall be sufficient in situations

involving aptitude and achievement testing and reporting of skill and knowledge outcomes in the subject areas included in the curricula of the Antie tam School District. Representational consent shall be sufficient for the collection of data necessary to the maintenance of other permanent student records (Category "A").

Individual consent shall be required in situations involving individual intelligence tests, and personality and interest inventories. Moreover, individual consent should be an absolute requirement before information, other than that required for pupil identification, concerning a pupil's family is obtained (for example, ethnic origin, religious beliefs, income and occupational data, husband-wife relations, etc.), or before any information not directly relevant for educational purposes is solicited from the pupil and/or his/her parents.

No statement or consent, whether individual or representational, shall be binding unless it is freely given after the parents and/or students have been periodically informed, preferably in writing, as to the methods by which the information will be collected, the uses to which it will be put, the methods by which it will be recorded and maintained, the time period for which it will be retained, the persons to whom it will be available, under what conditions, and their right of access.

It is recognized that certain special problems are presented by data gathering in individual situations. In these situations, the requirement of informed consent cannot always be met, perhaps because of the age of the student, or the unforeseeable course of the interview process. In such cases, the appropriate district official shall inform the student as fully and as clearly as possible, about the data to be obtained, stressing the voluntary character of the student's participation.

Where reasonable doubt exists about the capacity of the student to understand the implications of the situations, either because of the student's age or other circumstances, parental permission should be sought first. If student or parental consent is not given, the counselor may initiate other action to provide necessary assistance, including resort to the compulsory machinery of the school, i.e., visits with the principal, Superintendent, etc.

Maintenance of Student Records

1. Permanent Student Records (Category "A") -

Such records shall be considered as permanent records and shall be maintained by the school district for a period of one hundred years.

2. Supplementary Student Records (Category "B") -

Such records shall be verified at each transitional period of the student's progress within the school system (moving from one school level to another). Where not in conflict with existing statutes and/or

regulations, such records shall be destroyed subsequent to the student's graduation from high school or to the date on which s/he withdraws permanently from the schools of the school district. Exceptions to this policy may be made where, under vigorous standards and impartial judgment as established and exercised by the building principal, good cause for their retention can be shown. This material shall bear the signature of the individual authorizing its retention.

3. Temporary Student Records -

This information is to be maintained in a working folder and shall be destroyed when the use for which it was collected no longer prevails. If the continuing use of such information is clearly demonstrated and its validity verified by the appropriate school district personnel, it shall be immediately classified as a Supplementary record and filed in the student's cumulative record folder.

If, for any reason, such information is held without proper verification beyond the period of one (1) year, its existence must be divulged to the parent and/or student, and the reason for its maintenance explained fully. Parents and/or students shall then be given an opportunity to challenge the decision to maintain such information through procedures established in Section - Right To Challenge (page 8).

Dissemination of Student Records

Authorized school district personnel (administrators, counselors and teachers) may examine, without the consent of either the student, his/her parents, or guardian, student records contained in the Permanent (Category "A") or Supplementary (Category "B") Classifications. The school shall, without the consent of the student, his/her parents, or guardian, release a student's Category "A" and/or Category "B" records to:

1. Other school officials, including teachers, vocational technical school representatives, and field representatives of the local intermediate unit, who have a legitimate educational interest.
2. To authorized representatives of:
 - a. The Comptroller General of the United States.
 - b. The Secretary.
 - c. The Commissioner, the Director of the National Institute of Education, or the Assistant Secretary

for Education.

- d. State educational authorities, consistent with their statutory powers and responsibilities.
3. To officials of other school districts and postsecondary schools in which the student intends to enroll, upon request of that school district with the understanding that the parent may receive a copy of the record if desired, and have an opportunity to challenge the records to be transferred.

4. To State and local officials or authorities to whom information is specifically required to be reported or disclosed pursuant to State statute adopted prior to November 19, 1974. This subparagraph applies only to statutes which require that specific information be disclosed to State or local officials and does not apply to statutes which permit but do not require disclosure. Nothing in this paragraph shall prevent a State from further limiting the number or type of State or local officials to whom disclosures are made under this paragraph.
5. To parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1954.
6. To appropriate authorities in a health and safety emergency after consideration of the seriousness of the threat, the need for the information to meet the emergency, the position of the requesting party to deal with the emergency, and the extent to which time is of the essence in meeting the emergency.

Either a child, or his/her parents or guardian, or their legal representative, shall have access to the official administrative record (Category "A" above). Parents shall have access to Category "B" data. Students may have access to Category "B" data with parental permission. Parents may upon request have a copy of those records to which they have access at a cost to cover the process of reproduction (not to exceed 15 per page).

1. Access to such information by a student, his/her parents, or guardian shall be permitted within a reasonable period of time, but in no case more than thirty (30) days after receipt of request.
2. All requests for informational access to student records by a student, his/her parents, or guardian, shall be properly addressed to the attention of the building principal.
3. All persons, other than those with a legitimate educational interest, requesting access to student records shall be required to sign a written statement which shall be kept permanently on file, indicating the specific purpose that they have in seeking access to such information.
4. When access to student records has been granted, the presentation and explanation of those records shall be restricted to administrative and guidance personnel or their delegated representative.

Access to available tentative information shall be

restricted to administrative and guidance personnel only.

No other person may have access to a student's records except under the following circumstances:

1. When proper written consent to the release of such records has been obtained, such consent must be given by the student's parents, spouse, or guardian. However, when a student reaches the age of eighteen (18) years, or is married, or is attending an institution of higher education, his/her consent must be obtained in order to release requested information. Such student must consent to parental and other persons' access to his/her records. The written consent must specify the records to be released and to whom they are to be released. Copies of the records to be released shall be made available, to the student's parents and/or to the student, if desired, at a cost to cover the process of reproducing such records, not to exceed 15 per page. Each request for consent must be handled separately; blanket permission for the release of information shall not be accepted.
2. In compliance with judicial order, or orders of administrative agencies possessing powers of subpoena. Parents and/or students shall be notified in writing of all such orders and of the school's compliance therewith.

The principal of each school shall be the person responsible for the dissemination of student records in accordance with appropriate district policies. This responsibility may be delegated to the members of the school district's guidance staff.

Directory type information is released only to publicize school functions within the local media. Parents or guardians have the right to refuse to have this type of information published. The policy of the Antietam School District does not include the preparation of lists for dissemination.

Custody and Security of Student Records

The principal of each school shall be considered as the official custodian of the cumulative records (Category "A" and "B") of all students assigned to his/her building. He shall be required to assume final responsibility for the proper and secure maintenance of such records and for the preservation of their confidentiality. The principal may designate appropriate district professional personnel to perform such duties for him/her.

The Superintendent or his/her designate shall be considered

as the official custodian of the permanent records (Category "A") of all students who, for any reason, have terminated their attendance in the schools of the district.

Designated personnel responsible for the collection, maintenance, security, and dissemination of information throughout the district's various school buildings are as follows:

TABLES
SCHOOL LEVEL CHART
ANTI DISC

Records are to be kept under lock and key at all times under the supervision of designated personnel.

The principal shall be responsible for overseeing the classification of student records, and maintaining them in such manner as to permit clear identification by classification. S/He shall assume final responsibility for reviewing the student record folders and deleting supplementary and/or temporary records in accordance with policy #216, Student Records.

Right to Challenge

Representing the sensitive nature of student records and the concern of students and parents relative to such records, the Board accepts the right of students and/or their parents to challenge the validity of all information included therein. The parent of a student or an eligible student who believes that information contained in the educational records of the student is inaccurate or misleading or violates the privacy or other rights of the student may request that the school district which maintains the records amend them.

1. The school district shall decide whether to amend the educational records of the student in accordance with the request within forty-five (45) days of the receipt of the request.
2. If the school district decides to refuse to amend the educational records of the student in accordance with the request it shall so inform the parent of the student or the eligible student of the refusal, and advise the parent or the eligible student of the right to a hearing.

To properly afford students and/or their parents the right to challenge the content of student records, the Board hereby creates a quasi-judicial review panel composed of the following persons:

1. Superintendent of Schools or Designated Representative
2. School District Solicitor
3. Building Principal
4. Guidance Counselor
5. Lay Member of the Community
(mutually acceptable to both parties).

The review panel shall be responsible to review and determine the validity of all data subject to student and/or

parental challenge.

Formal procedures for the challenging of information contained in student records shall be as follows:

1. The student and/or parent shall submit written notification to the Superintendent.
 - a. Upon receipt of written notification, Superintendent or his/her designated representative will within ten (10) school days arrange for a conference with the student and/or parent during which every attempt shall be made to resolve the conflict.
 - b. If the conflict has not been resolved as a result of the initial conference, the student and/or the parents shall be granted a hearing according to the following provisions:
 - (1) The hearing shall be held at a mutually agreed upon time and place within thirty (30) days after the school receives the request for a hearing from the parent.
 - (2) The parent shall be notified in writing of the date, place, and time of the hearing, no later than five (5) days in advance of the hearing.
 - (3) The hearing shall be conducted by the review panel so listed in section - Right to Challenge (page 8) of this plan.
 - (4) The party conducting the hearing may be an official of the school district.
 - (5) The parent shall be afforded a full and fair opportunity to present evidence relevant to the issues.
 - (6) The parent may, at the hearing, be assisted or represented by persons of his/her choice at his/her expense; such persons may include legal counsel.
 - c. Decision after hearing - The school district shall render a written decision on the issues presented at the hearing and shall render such decision within thirty (30) days after the conclusion of the hearing. The decision shall be based solely upon evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

d. Decision to amend - If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy of stated rights of students, it shall amend the education records accordingly and so inform the parent in writing.

e. Decision not to amend - If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of students, it shall inform the parent of his/her right to place in the education record of the student a statement which sets forth the written comments of the parent upon the information in the education records or reasons for disagreeing with the decision of the school district, or both written comments and reasons.

(1) The statement of the parent shall be appended by the school district to the education records so long as the record or the contested portion thereof is maintained by the school district.

(2) If the education records of the student or the contested portion thereof is released by the school district to any party, the statement of the parent shall also be released to the party.

Appendix A

Forms to be used to implement proposed policies on student records are as follows:

<u>Form Number</u>	<u>Title</u>
1	Information Letter - Elementary Parents District's Standardized Testing Program
2	Information Letter - Secondary Parents District's Standardized Testing Program
3	Request for Permission to Evaluate
4	Student Records Inspection Record
5	Student Record Release Authorization

DISTRICT STANDARDIZED TESTING PROGRAM

In accordance with the recommendations of the Superintendent, the Board has approved a district-wide testing program designed to provide information concerning the proficiency of all children on standardized tests of academic achievement and aptitude.

The results of these tests provide a continuing record of each child's academic progress in comparison with national norms. They are also an invaluable aide to your child's teachers and counselor in diagnosing individual strengths and weaknesses in order to provide your child with necessary and more effective individualized instruction. During this school year, as noted in the school calendar, the following tests will be administered to your child.

TEST TABLE

TESTING FOR INDIVIDUAL NEEDS (as needed)

Enrichment Identification

As part of the screening process for gifted students, the Binet Intelligence Test will be administered. This will occur only after students have met the guidelines in the Phase I screening process consisting of regular intelligence testing, teacher recommendation, an observation survey, and/or achievement test scores. (Individual parent permission is requested in writing prior to this testing.)

LEAP - (MPE Remedial Reading Program) Grades Pre-1st through 4

A writing sample, written retelling, and Benchmark tests are administered to each child in the LEAP Program at the beginning and end of each school year to assess individual progress and success.

Students in Grades 2 through 6 New to the Antietam School District -

The Woodcock-Johnson Test or another standard Individual Reading Inventory will be administered to each student new to the district upon registration to evaluate individual reading ability.

ASVAB - (Armed Services Vocational Aptitude Battery) Grade 11

This aptitude test is administered by the armed services and is used to measure a student's aptitude in several academic and technical areas. The test is free of charge and voluntary for all juniors.

PSAT - (Preliminary Scholastic Aptitude Test/National Merit Scholarship Qualifying Test) Grades 10 & 11

This test measures aptitude to complete college level work and gives a score in verbal and mathematics areas. The purpose of the test is to prepare the student to take the SAT I and determine which students are eligible for the National Merit Scholarship and the National Hispanic Scholar Recognition Program. (Eligibility for these programs is based on individual scores and the scores of others who take the test in your state. Only juniors are eligible for these scholarship programs.)

SAT I - (Scholastic Assessment Test - Part I) Grades 11 & 12

The SAT I measures academic aptitude in terms of verbal

and mathematical ability. The verbal sections include questions in the areas of reading, analogies, and sentence completion. The mathematical sections cover Algebra and Geometry and include multiple choice, quantitative comparison, and student-produced response questions. Three sections of verbal and three of math are included on each test. Scores from this test are used by colleges to determine the chance of success at their schools.

Other

Various related and appropriate tests may be given as needed or required to measure a student's ability for placement purposes or assessment of progress.

Your child's scores on these tests will be checked carefully and maintained in his/her school record as long as s/he attends school in the Antietam School District. No individual or agency outside of our school district will be permitted to examine your child's school record without your written permission.

Should you wish to examine your child's record file at any time, you may arrange to do so by making an appointment with the appropriate building principal.

LETTER ON DISC
ANTI
REQUEST FOR PERMISSION TO EVALUATE

ANTIETAM SCHOOL DISTRICT
100 Antietam Road
Reading, PA 19606

STUDENT RECORDS INSPECTION RECORD

Date

Student _____
Grade _____

Records Examined: _____ Category "A"
Category "B" _____

Records Examined by:

Name of Person (Please Print)

Purpose:

Examiner

Signature of

LETTER ON DISC
STUDENT RECORD RELEASE AUTHORIZATION

DEFINITIONS

Act - The General Education Provisions Act, Title IV of Pub. L 90-247 as amended.

Attendance - At a school district includes but is not limited to:

1. Attendance in person and by correspondence, and
2. The period during which a person is working under a work study program.

Commissioner - The U. S. Commissioner of Education.

Directory Type Information - Includes the following information relating to a student:

The student's name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, the most recent previous educational agency or institution attended by the student, and other information.

Disclosure - Permitting access or the release, transfer or other communication of education records of the student or the personally identifiable information contained therein, orally, or in writing or by electronic means to any party.

Education Records - Those records which:

1. Are directly related to a student and,
2. Are maintained by the school district or by a party acting for the school district.

The term does not include:

1. Records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto which are in sole possession of the maker thereof, i.e., information in a teacher's grade record book, and are not accessible or revealed to any other individual who performs on a temporary basis the duties of the individual who made the record, and does not refer to an individual who permanently succeeds the maker of the record in his/her position.
2. Records relating to an individual who is employed

by an educational agency or school district which:

- a. Are made and maintained in the normal course of business.
- b. Relate exclusively to the individual in that individual's capacity as an employe.
- c. Are not available for use for any other purpose.

This paragraph does not apply to records relating to an individual in attendance at the agency or institution who is employed as a result of his/her status as a student.

3. Records of an educational agency or school district which contain only information relating to a person after that person was no longer a student at the school. An example would be information collected by an educational agency or school district pertaining to the accomplishments of its alumni. No consent is necessary to conduct an alumni study or release the information.

Eligible Student - A student who has attained eighteen (18) years of age, or is attending an institution of postsecondary education. This term applies whenever a student has attained eighteen (18) years of age, or is attending an institution of postsecondary education, the rights accorded to and the consent required of the parent of the student shall therefore only be accorded to and required of the eligible student.

Financial Aid - A payment of funds provided to an individual which is conditioned on the individual's attendance at an educational agency or school district.

Institution of Postsecondary Education - An institution which provides education of students beyond the secondary level; Secondary School Level means the educational level (not beyond grade 12) at which secondary education is provided as determined under State law.

Legitimate Educational Interest - The (1) direct responsibility for providing instruction, (2) and for the provision of support services such as guidance, counseling, health, psychology, and home and school visits, (3) and responsibility for the health and safety of the children while in attendance at school.

Parent - Includes a parent, a guardian, or an individual acting as a parent of a student in the absence of a parent

or guardian. A school district may presume the parent has the authority to exercise the rights inherent in this plan unless the school district has been provided with evidence that there is a state law or court order governing such matters as divorce, separation or custody, or a legal ly binding instrument which provides to the contrary.

Personally Identifiable - The data or information includes (1) the name of a student, the student's parents or other family member, (2) the address of the student, (3) a personal identifier, such as the student's social security number or student number, (4) a list of personal characteristics which would make the student's identity easily traceable, or (5) other information which would make the student's identity easily traceable.

Quasi-Judicial Panel - The panel formulated to hear challenges brought forth by the parent or eligible student relating to the content of student records.

Record - Any information or data recorded in any medium, including but not limited to handwriting, print, tapes, film, microfilm, and microfiche.

Secretary - The Secretary of the U.S. Department of Health, Educa tion and Welfare.

Student - Includes any individual with respect to whom a school maintains education records. The term does not include an individual who has not been in attendance at the educational agency or school district. A person who has applied for admission to, but has never been in attendance at a component unit of an institution of postsec ondary education (such as the various colleges or schools which comprise a university), even if that individual is or has been in attendance at another component unit of that institution of postsec ondary education, is not considered to be a student with respect to the component to which an application for admission has been made.